

## Introduced by Senator Migden

February 22, 2005

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An act to amend Section 163 of the Streets and Highways Code, relating to transportation.

## LEGISLATIVE COUNSEL'S DIGEST

SB 988, as introduced, Migden. Highway funding: policy.

Existing law makes the Department of Transportation responsible for improving and maintaining the state highway system. Under existing law, the Legislature has established a policy for the use of all transportation funds that are available to the state and requires the department to prepare fund estimates for specified expenditures.

This bill would make nonsubstantive changes to the transportation funding policy provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 163 of the Streets and Highways Code  
2 is amended to read:  
3 163. The Legislature, through the enactment of this section,  
4 intends to establish a policy for the use of all transportation funds  
5 that are available to the state, including the State Highway  
6 Account, the Public Transportation Account, and federal funds.  
7 For the purposes of this section, "federal funds" means any  
8 obligational authority to be provided under annual federal  
9 transportation ~~appropriations~~ *appropriation* acts. The department  
10 and the commission shall prepare fund estimates pursuant to

1 Sections 14524 and 14525 of the Government Code based on the  
2 following:

3 (a) Annual expenditures for the administration of the  
4 department shall be the same as the most recent Budget Act,  
5 adjusted for inflation.

6 (b) Annual expenditures for the maintenance and operation of  
7 the state highway system shall be the same as the most recent  
8 Budget Act, adjusted for inflation and inventory, or, ~~when~~ if a  
9 maintenance plan has been enacted pursuant to Section 164.6,  
10 maintenance expenditures shall be based on planned expenditures  
11 in that plan.

12 (c) Annual expenditure for the rehabilitation of the state  
13 highway system shall be the same as the most recent Budget Act,  
14 or, ~~when~~ if a long-range rehabilitation plan has been enacted  
15 pursuant to Section 164.6, shall be based on planned  
16 expenditures in that long-range plan.

17 (d) Annual expenditures for local assistance shall be the  
18 amount required to fund local assistance programs required by  
19 state or federal law or regulations, including, but not limited to,  
20 railroad grade crossing maintenance, bicycle transportation  
21 account, congestion mitigation and air quality, regional surface  
22 transportation programs, local highway bridge replacement and  
23 rehabilitation, local seismic retrofit, local hazard elimination and  
24 safety, and local emergency relief.

25 (e) After deducting expenditures for administration, operation,  
26 maintenance, local assistance, safety, and rehabilitation pursuant  
27 to subdivisions (a), (b), (c), and (d), and for expenditures  
28 pursuant to Section 164.56, the remaining funds shall be  
29 available for capital improvement projects to be programmed in  
30 the state transportation improvement program.